United Nations S/AC.37/2003/(1455)/74

Security Council

Distr.: General
1 October 2003

Original: English

Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and Associated Individuals and Entities

Note verbale dated 29 September 2003 from the Permanent Mission of Greece to the United Nations addressed to the Chairman of the Committee

The Permanent Mission of Greece presents its compliments to the Chairman of the Security Council Committee established pursuant to resolution 1267 (1999) and with reference to the letter SCA/2/03 (12), has the honour to submit herewith, on the basis of paragraph 6 of resolution 1455 (2003), an updated report to the Committee (see annex).

03-53847 (E) 131003

Annex to the note verbale dated 29 September 2003 from the Permanent Mission of Greece to the United Nations addressed to the Chairman of the Committee

Subject : The Taliban/Al Qaida sanctions regime

Report of the Ministry of Justice

1. To date Greek authorities have not identified terrorist groups or individuals who are members or associate with Al-Qaida, the Taliban or Usama Bin Laden, and furthermore, none from the listed individuals or entities have brought any lawsuit or engaged in legal proceedings against our authorities for inclusion in the list.
2. In Greece, the legislation in force which includes criminal acts referred to terrorist activities is sufficient, both at the level of prevention and of suppression of these activities. In particular, the following laws are in force and can enter into force No. 2168/1993 about "regulation of matters regarding weapons, ammunition, explosive materials, exlosive mechanisms and other provisions", No. 2331/1995 about "Prevention and suppression of the legitimization of the income deriving from criminal activities and other provisions" as it is in force today, No. 2928/2001 about "Amendment of the Penal Code and the Code of Penal procedure's provisions and other provisions for the protection of the citizen from the punishable acts of criminal organizations", No. 2991/2002 about "Enforcement of the Convention for the prohibition of the development, production, storing and the use of chemical weapons and their destruction", the legislation decree No. 1059/1971 about "the bank deposit secrecy" as it was replaced in its arts 1,2,3, by particular paragraphs of laws No. 1858/1989, No. 2214/1994 and No. 1868/1989, etc.

Furthermore, relevant provisions are included in the Greek Penal Code, such as . the explosion (Art. 270), offences related with explosive materials (Art. 272), murder ex premeditation (Art. 299), heavy physical injury (Art. 310), fatal injury (Art. 311), seizing (Art. 322), robbery (Art. 380), extortion (Art. 385), trafficking of human beibgs (Art. 323 a), disturbance of the transportation security (Art. 290), etc.

Besides, the composition of a draft law has been cmpleted and pretty soon it will be tabled and voted in the Parliament with which the framework decision of the Council of the EU about the fight against terrorism (of the 13th June 2002, 2002/475/JHA) will be integrated in the Greek legislation. Based on this draft law the terrorist activities are defined accurately and it punishes, among others, those who facilitate

the commission of terrorist acts by providing information or other material means or with funds disposal or by providing financial and economic services for the above mentioned purpose.

Report of the Ministry of Public Order

1. Individuals referred to the Resolution 1267/1999 of the Security Council have been included to the national list "Prohibition of entry" of Greece.
2. However, for a significant number of these individuals we are facing difficulties to include them to the above mentioned list, due to the lack of detailed identity particulars (only surname is appearing) This consequently leads to ambiguity and there is a risk of confusion to other irrelevant individuals.

Report of the Ministry of Economy and Finance

Regarding the measure under paragraph 2a (freeze of assets) investigation of possible funds and other financial assets of individuals, groups, undertakings and entities associated with Usama Bin Laden, members of Al-Qaida and the Taliban has been taking place. This investigation runs hand in hand with that related to suspected persons included in the relevant lists of the European Union (the "clearing house") drafted to counter terrorist financing.

We have encountered difficulties in identifying any of the suspected persons included in the above list, since in several cases the available data is insufficient.

We have instructed the Bank of Greece and the Capital Market Committee to monitor closely the bank accounts and other financial transactions which are carried out in the Greek financial institutions by individuals resembling those mentioned in the lists. As soon as we encounter any noticeable activity by suspected individuals, we will inform you accordingly.

We are also in the position to report that two working groups which have been set up by the Ministry of Justice and of the Ministry of Economy and Finance for drafting legislation to implement international agreements relating to terrorist financing. Their work is near completion and the corresponding legislation will be adopted.